

DOCKET NO: 251188US6CONT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
SEIJI KOBAYASHI, ET AL. : EXAMINER: HUBER, P.  
SERIAL NO: 10/810,654 :  
FILED: MARCH 29, 2004 : GROUP ART UNIT: 2627  
FOR: OPTICAL INFORMATION :  
RECORDING MEDIUM, OPTICAL  
INFORMATION RECORDING  
APPARATUS AND METHOD

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicants acknowledge with appreciation the indication of allowability of the claimed invention. In response to the Examiner's Statement of Reasons for Allowance in the Notice of Allowance of August 24, 2007, Applicants respectfully submit the following comments.

In the Examiner's Statement of Reasons for Allowance on page 2 of the Notice of Allowance mailed August 28, 2007, lines 8-15 state:

The following is an examiner's statement of reasons for allowance:

the prior art of record considered as a whole fails to teach or suggest an optical information recording medium or a method/apparatus for duplicating an optical information recording medium, the optical information recording medium comprising: data overlapping a visible second information on a first information to form a sequence of pits, **the second information being expressed in a predetermined area in a radial direction and an angular direction on the optical information recording medium, and the second information**

**being expressed according to a change of a pit width, a change of a pit length, or a change of width within only a portion of the length of the pit.** (bold language emphasized)

However, it is respectfully noted that Claim 32 recites

A method of duplicating a master optical information recording medium, the method comprising steps of:

recording data overlapping a visible second information on a first information on the master optical information recording medium by intermittently irradiating a laser beam to form a sequence of pits;

recording the second information in a predetermined area in a radial direction and an angular direction on the master optical information recording medium, wherein the second information is recorded according to a change of a pit width based on a change of power of the laser beam, a change of a pit length based on an on/off control of the laser beam, or a change of width within only a portion of the length of the pit based on a change in the vicinity of the on/off control of the laser beam; and

utilizing the master optical information recording medium in a duplication device to duplicate a recorded content of the master optical information recording medium on a second optical information recording medium.

Further, it is respectfully noted that Claim 40 recites

An apparatus for duplicating an optical information recording medium, which records data overlapping a visible second information on a first information on a master optical information recording medium by intermittently irradiating a laser beam to form a sequence of pits, the apparatus comprising:

means for generating a positional information so that the second information is recorded in a predetermined area in a radial direction and an angular direction on the master optical information recording medium;

means for modulating a laser beam power so that the second information is recorded according to a change of a pit width based on a change of power of the laser beam, a change of a pit length based on an on/off control of the laser beam, or a change of width within only a portion of the length of the pit based on a change in the vicinity of the on/off control of the laser beam; and

means for duplicating a recorded content of the master optical information recording medium on a second optical information recording medium.

Accordingly, it is respectfully submitted that the above-quoted statement applies at most to independent Claims 22 and 27, and not to independent Claims 32 and 40 (and claims dependent therefrom).

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Bradley D. Lytle  
Attorney of Record  
Registration No. 40,073

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 08/07)

Kurt M. Berger, Ph.D.  
Registration No. 51,461

Scott A. McKeown  
Registration No. 42,866